

**MEMO ENDORSED**



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September 8, 2015

**VIA ECF**

Honorable Valerie E. Caproni  
United States District Judge  
Southern District of New York  
40 Foley Street  
New York, NY 10007

Re: Antonio Rodriguez, et al., v. City of New York, et al., 14-CV-3273 (VEC) (RLE)

Your Honor:

I am an Assistant Corporation Counsel in the office of Zachary W. Carter, Corporation Counsel of the City of New York, representing defendants City of New York, Detective Barry, Sergeant Ovando, Sergeant Perez, Detective Smyth, and Lieutenant von Kessel in the above-referenced matter. On behalf of the parties, defendants respectfully submit the attached executed Stipulation of Settlement and Stipulation and Order of Dismissal for the Court's endorsement.

In accordance with provision 5A of Your Honor's Individual Practice Rules, the parties respectfully request that the Court retain jurisdiction over their executed stipulations, and issue an Order to that effect. The parties apologize that this request, as well as their filing of the attached executed documents, are being submitted beyond the parties' September 4, 2015, deadline, and respectfully request that, notwithstanding this brief delay, the Court consider their application.

In accordance with Your Honor's Individual Practice Rules, defendants, on behalf of the parties, will also email a copy of these executed documents to the Orders Clerk, and, in addition, will email an executed version of the parties' agreement in Microsoft Word version to the Court.

Thank you for your consideration herein.

Respectfully submitted on behalf of  
the parties,

/s/

Melanie Speight  
*Assistant Corporation Counsel*

cc: VIA ECF  
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Application DENIED. This action has been dismissed and the Court no longer has jurisdiction to issue the requested Order. See *Hendrickson v. United States*, 791 F.3d 354, 361 (2d Cir. 2015).

SO ORDERED.



HON. VALERIE CAPRONI  
UNITED STATES DISTRICT JUDGE

Date: 9/08/2015